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REMARKS

Thorough examination of the application is sincerely appreciated.

In the Final Office Action, the Examiner objected to claim 21 due to the informality. In response, claim 21 is amended as above. Withdrawal of the objection is respectfully requested.

According to the Final Office Action, claims 16 and 21 were rejected under 35 USC 112. In response, claims 16 and 21 are amended to eliminate any lack of insufficient basis rejections. It is believed that claims 16 and 21 now fully comply with 35 USC 112, and withdrawal of the rejection is requested.

Further according to the Final Office Action, claims 1, 4, 6, 7, 9, 10, 13, 14 and 16-19 were rejected under 35 USC 103 as being unpatentable over US Patent 6,842,445 (Ahmavaara). Claims 2, 3, 8, 11, 12, 15 and 21-24 were rejected under 35 USC 103 as being unpatentable over Ahmavaara in view of US Patent 6,934,752 (Gubbi).

Applicant respectfully disagrees with, and explicitly traverses, the reasons for rejecting Applicant's claims, as asserted in the Final Office Action. It will be shown that claimed invention is not rendered obvious by Ahmavaara and Gubbi, whether considered separately or in combination.

Ahmavaara fails to teach or suggest, among other things, the feature of "demodulating said received packet to be stored in a first storage medium" as recited in Applicant's claim 1, for example. This feature of the present invention was not discussed anywhere in the Final Office Action for the simple fact that it cannot be found anywhere in Ahmavaara. If the Examiner disagrees, he is respectfully requested to specifically point out those portions in the Ahmavaara patent allegedly disclosing this feature.

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Furthermore, Ahmavaara does not teach or suggest the feature of "if so, combining said received packet with a previous packet stored in a second storage medium using a maximum ratio combining method", as recited in Applicant's claim 1. Ahmavaara only discloses soft combining that requires the initial packet and the retransmitted packet to be identical. Ahmavaara does not disclose a maximum ratio combining method, which does not have the requirement of the soft combining. The two methods of combining -- Ahmavaara's soft combining and Applicant's maximum ratio method -- are not equivalent or interchangeable. If the Examiner disagrees, he is respectfully requested to provide an affidavit, either personal or by a skilled artisan, to the contrary.

At least for the above reasons, Applicant submits that the rejection of claim 1, as amended, has been overcome and can no longer be sustained. Applicant respectfully requests withdrawal of the rejection and allowance of the claim.

Analysis of independent claims 9 and 16 is analogous to the one of claim 1, as presented hereinabove. To avoid repetition, claims 9 and 16 will not be discussed in detail with the understanding that they are patentable at least for the same reasons as claim 1. Applicant, therefore, respectfully requests withdrawal of the rejection and allowance of claims 9 and 16.

Claims 4, 6, 7, 10, 13, 14 and 17-19 depend, either directly or indirectly, from independent claims 1, 9 and 16, which have been shown to be allowable over the prior art reference. Accordingly, these claims are also allowable by virtue of their dependency from the allowable base claims. Applicant submits that the reason for the rejection of claims 4, 6, 7, 10, 13, 14 and 17-19 has been overcome and respectfully requests withdrawal of the rejection and allowance of those claims.

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With respect to claim 2, 3, 8, 11, 12, 15 and 21-24 which depend from claims 1, 9 and 16, Applicant essentially repeats the above arguments to submit that Gubbi is not relied upon in the Final Office Action to cure the deficiencies in Ahmavaara. Therefore, Applicant's claims 2, 3, 8, 11, 12, 15 and 21-24 are not rendered obvious by the prior art of record. Withdrawal of the rejections is respectfully requested.


In view of the above, it is submitted that Ahmavaara and Gubbi, whether considered separately or in combination, do not anticipate or render obvious the present invention because the combination fails to teach or suggest all of the features of Applicant's claims, as discussed hereinabove. Withdrawal of the rejections is, therefore, respectfully requested.

An earnest effort has been made to be fully responsive to the Examiner's correspondence and advance the prosecution of this case. In view of the above amendments and remarks, it is believed that the present application is in condition for allowance, and an early notice thereof is earnestly solicited. However, if for any reason this application is not considered to be in condition for allowance, the Examiner is respectfully requested to call the undersigned attorney at the number listed below prior to issuing a further Action.

Please charge any additional fees associated with this application to Deposit Account No. 14-1270.

Respectfully submitted,

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